IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 841 of 2006 (S/S)

Somnath Saini
S/o Sri Karta Ram Saini
Serving as Gram Panchayat Vikas Adhikari,
Block – Roorkee, District Haridwar.

…… Petitioner

Versus

1. Commissioner, Rural Development,
   Uttaranchal, Pauri.
2. Deputy Commissioner (Administration)
   Rural Development, Pauri.
3. District Development Officer,
   Haridwar.

…… Respondents

Mr. Alok Mehra, Advocate holding brief of Mr. Manoj Tiwari, Advocate for the petitioenr.
Mr. N.P. Sah, learned Standing Counsel for the State.

Hon'ble Prafulla C. Pant, J.

Heard learned counsel for the parties.

2) By means of this writ petition, the petitioner has challenged the impugned transfer order dated 21.06.2006, whereby the petitioner has been transferred from District Haridwar to District Pauri.

3) The said order itself shows that the transfer of the petitioner has been made in the public interest. From the affidavits filed by the parties, it appears that the petitioner is posted in the District of Haridwar for last fifteen years.

4) Learned counsel for the petitioner drew attention of this Court to Annexure S.A. 1 to the Supplementary affidavit filed by the petitioner, and on its basis it is contended that power to transfer the petitioner vests in the Commissioner, and not on the respondent No. 2. However, Annexure C.A. 1 to the counter affidavit filed on behalf of the respondents, shows that the powers are delegated to the authority concerned, as such, I see little force in the contention of learned counsel for the petitioner.

5. For the reasons as discussed above, this writ petition is dismissed in limine. Interim order dated 28.06.2006 stands hereby vacated. (Stay Vacation Application No. 10538 of 2006 also stands disposed of).

(Prafulla C. Pant, J.)

Dt.: December 13, 2006
H.Negi